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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA,) CR No. 08-920 CRB
17 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
18 v.) EXCLUDING TIME UNDER 18 U.S.C. § 3161
19 WALTER ADILIO AJIATAS-)
MAZARIEGOS)
20 a/k/a WALTER ADILIO)
MAZARIEGOS,)
21 a/k/a WILSON REYES, and)
a/k/a WILFRED CASTANEDA,)
22 Defendant.)
23 _____)

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25 On December 18, 2008, the parties in this case appeared before the Court for the
26 defendant's arraignment. At that time, the parties requested that the Court exclude all time under
27 the Speedy Trial Act between December 18, 2008 and January 7, 2009 because defense counsel
28 needs additional time to review documents, which the government produced recently. The

1 parties agree that the length of the continuance is the reasonable time necessary for preparation of
2 defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice
3 served by granting the requested continuance outweigh the best interests of the public and the
4 defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

5 The parties also agree that two days have elapsed under the Speedy Trial Act and that the
6 defendant's speedy trial deadline will be March 16, 2009.

7 SO STIPULATED:

8 JOSEPH P. RUSSONIELLO
9 United States Attorney

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11 DATED: December 19, 2008 _____ /s/
12 TAREK J. HELOU
13 Assistant United States Attorney

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15 DATED: December 19, 2008 _____ /s/
16 STEVEN G. KALAR
17 Attorney for WALTER A. AJIATAS-MAZARIEGOS

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19 For the reasons stated above, the Court finds that exclusion of time from December 18, 2008
20 through January 7, 2009 is warranted and that the ends of justice served by the continuance
21 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
22 (h)(8)(A). The failure to grant the requested continuance would deny the defendant effective
23 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §
24 3161(h)(8)(B)(iv).

25

26 SO ORDERED.

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28 DATED: 12/19/08



THE HONORABLE EDWARD M. CHEN
United States Magistrate Judge